

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND WARRANT**

I, IRAN MILLAN, Police Officer, Philadelphia Police Department, being duly sworn, according to law, deposes and states as follows:

1. I am a Police Officer with the Philadelphia Police Department (PPD) assigned to the Drug Enforcement Administration (DEA) Philadelphia Field Division Task Force. As a Task Force Officer, I investigate the manufacturing and trafficking of controlled substances. I have been employed as a police officer of the PPD since September 1995. I have been assigned as a Task Force Officer of the DEA since August, 2004.

2. I have participated in the investigation and prosecution of more than 200 narcotics traffickers involved in the manufacture and distribution of controlled substances including heroin. My present duties include the investigation of narcotics traffickers involved in the manufacture and distribution of controlled substances and the identification and seizures of assets representing proceeds of narcotics trafficking.

3. The information set forth in this affidavit relates to Francisco RODRIGUEZ aka Nelson AYALA-VELAZQUEZ, whom I have probable cause to believe possessed with intent to distribute heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841 (a)(1). The information in this affidavit is based upon my own personal knowledge and upon information provided to me from other law enforcement officers involved in this investigation. This affidavit does not include everything I have learned during this investigation, but only those facts I believe sufficient to demonstrate probable cause that federal criminal offenses have been committed by the particular individuals.

## THE INVESTIGATION

4. In August 2008, members of the Philadelphia DEA Task Force Group # 6 met with a Confidential Source (CS-1). CS-1 was debriefed in Philadelphia, Pennsylvania, and stated that Nicole ALICEA, a/k/a "Chupi," and Francisco RODRIGUEZ, a/k/a "Cojo," were sources of supply for heroin dealers that are operating in Philadelphia, Pennsylvania.

5. On August 25, 2008, CS-1 made arrangements to introduce your affiant, in an undercover capacity, to RODRIGUEZ, in the area of Castor and Knorr Streets, Philadelphia. At approximately 12:50 p.m., RODRIGUEZ appeared at the area of Castor and Knorr Streets in a blue Honda Accord bearing Pennsylvania registration GZX-3368. CS-1 exited the undercover vehicle and walked over to RODRIGUEZ's vehicle. CS-1 and RODRIGUEZ engaged in a brief conversation and shortly thereafter, CS-1 and RODRIGUEZ walked over and entered into your affiant's undercover vehicle. CS-1 introduced your affiant to RODRIGUEZ and your affiant and RODRIGUEZ engaged in a drug-related conversation. After agreeing to amounts and prices of street packaged heroin, RODRIGUEZ informed your affiant that he had to prepare the heroin and further instructed your affiant to come back in thirty (30) minutes. RODRIGUEZ then drove away in his blue Honda Accord. Members of DEATF Group # 6 conducted a roaming surveillance and followed RODRIGUEZ to the 6800 block of Eastwood Street, Philadelphia. Aerial surveillance Joseph Rudy observed RODRIGUEZ exit his vehicle and walk through the common driveway of the 2000 block of Knorr Street, Philadelphia, PA.

6. At approximately 2:09 p.m., Joseph Rudy conducted an aerial surveillance and observed a green colored Honda Accord driving westbound through the common driveway of the 2000 block of Knorr Street, Philadelphia, PA. A roaming surveillance followed the aforementioned green Honda Accord bearing Pennsylvania registration GWL-3796. Your

affiant and CS-1 returned to the vicinity of Castor & Knorr Streets and a short time later, your affiant observed the green Honda Accord arrive in the vicinity of Castor & Knorr Street. Your affiant observed the driver of the vehicle to be Nicole ALICEA. Your affiant then handed CS-1 \$2,250.00 of Official Authorize Funds (OAF) and both proceeded to walk over to ALICEA's vehicle. CS-1 entered and sat down in the passenger seat of ALICEA's vehicle. Your affiant observed ALICEA bend down and reach in the area of the center console and reach into what your affiant believed to be a secret compartment. Your affiant observed CS-1 hand ALICEA the pre-recorded OAF in exchange for two (2) sandwich bags containing numerous bundles of alleged heroin. CS-1 introduced your affiant to ALICEA after which your affiant and ALICEA exchange cellular telephone numbers. ALICEA verbally stated her cellular number to your affiant as 267-804-7029. Your affiant and ALICEA agreed to make future heroin transactions without the assistance of CS-1. ALICEA then departed the area with members of DEATF Group #6 conducting a roaming surveillance. Surveillance followed ALICEA to the rear of 2007 Knorr Street, Philadelphia, PA, and Aerial Surveillance Joseph Rudy observed ALICEA entering the rear of 2007 Knorr Street using a key to enter the rear entrance of that property.

7. At the conclusion of the meeting, CS-1 handed your affiant the two sandwich bags. The sandwich bags contained 350 small packets containing powder, all with stamps depicting a gun and the number "47" (AK-47). A field-test of a sample of the packets indicated that it was heroin.

8. On September 3, 2008, at approximately 2:00 p.m., your affiant placed a cellular call to Nicole ALICEA on 267-804-7029. During this conversation, your affiant spoke with ALICEA and RODRIGUEZ on the cellular phone. During this conversation, your affiant

arranged to purchase twenty (20) bundles of heroin. Your affiant and RODRIGUEZ further agreed to meet in the vicinity of Castor & Tyson Avenue, Philadelphia.

9. At approximately 2:44 p.m., your affiant met with RODRIGUEZ who was driving the same green Honda Accord previously driven by ALICEA, and handed RODRIGUEZ \$1,800.00 in OAF. Your affiant observed RODRIGUEZ reach into the center console area and hand your affiant twenty-one (21) bundles of alleged heroin. The bags were all stamped with the AK-47 logo and field-tested positive for heroin.

10. On November 25, 2008, at approximately 12:09 p.m., RODRIGUEZ and ALICEA were observed leaving 2007 Knorr Street in the blue Honda Accord. The vehicle was followed to the area of 2200 Glenview Street and the vehicle parked on the south-side of the 2200 block of Glenview Street. Special Agent Michael Beck observed the green Honda Accord along with a black Toyota Camry, bearing Pennsylvania registration GZS-4619 with black tinted windows, parked in the rear driveway of 2216 Glenview Street.

11. At approximately 1:41 p.m., RODRIGUEZ and ALICEA were observed entering the green Honda Accord. A person, later identified as Jose VELAZQUEZ-OLIVARES, entered the blue Honda Accord. The green Honda Accord and the blue Honda Accord departed the area of 2216 Glenview Street in tandem and travelled to 2007 Knorr Street. The blue Honda Accord parked on the north-side of the 2000 block of Knorr Street, Philadelphia, PA, and the green Honda parked in the rear driveway of 2007 Knorr Street, Philadelphia, PA.

12. At approximately 4:05 p.m., the green Honda was observed departing the area of 2007 Knorr Street by members of DEATF Group #6 conducting a roaming surveillance. The vehicle was followed to the 2200 block of Glenview Street, Philadelphia, PA. VELAZQUEZ-OLIVARES exited the driver-side and your affiant observed VELAZQUEZ-OLIVARES walk

up to the front door of 2216 Glenview Street. VELAZQUEZ-OLIVARES knocked on the door and proceeded to walk through the side breezeway towards the rear common driveway.

13. On December 8, 2008, at approximately 5:35 p.m., Police Officer Iezzi conducted surveillance on foot in the rear driveway of 2216 Glenview Street. Officer Iezzi observed a male entering the driver side of the black Toyota Camry and the vehicle departed the area with members of DEATF Group #6 conducting a roaming surveillance. Surveillance units followed the Toyota Camry where it parked in front of 2007 Knorr Street, Philadelphia, PA. Special Agent Eric Russ observed VELAZQUEZ-OLIVARES exiting the Toyota Camry and walk towards the front door of 2007 Knorr Street, Philadelphia, PA.

14. At approximately 6:39 p.m., police officers conducted the traffic stop of the Camry. During the traffic stop, the driver produced a Pennsylvania driver's license in the name of Jose A. VELAZQUEZ-OLIVARES, 3047 Rorer Street, Philadelphia, PA. Officer Ramirez observed in the front passenger seat area a clear bag containing numerous multi-colored new and unused rubber bands. Based on Officer's Ramirez knowledge experience, Officer Ramirez knows that these rubber bands are commonly used by heroin distributors to bundle packets of heroin for street sales.

15. On December 9, 2008, members of DEATF Group #6 established surveillance at 2216 Glenview Street, Philadelphia, PA. Officer Elliott observed Jose VELAZQUEZ-OLIVARES exiting the front door of 2216 Glenview Street and VELAZQUEZ-OLIVARES proceeded to enter the green Honda Accord. The vehicle departed the area with members of DEATF Group #6 conducting a roaming surveillance.

16. At approximately 1:30 p.m., the green Honda was followed to the area of the 2100 block of east Monmouth Street, Philadelphia, PA. Special Agent Louis Schmidt observed

VELAZQUEZ-OLIVARES park on 2100 east Monmouth and further observed him reach into the front center console area (same as both RODRIGUEZ and ALICEA did in previous transactions). A short time later the vehicle departed the area with DEATF Group # 6 conducting a roaming surveillance. The vehicle is followed back to 2007 Knorr Street and it parked in the rear driveway.

17. At approximately 2:26 p.m., VELAZQUEZ-OLIVARES and an unidentified Latino male with an afro-style haircut were observed leaving 2007 Knorr Street and both entered the black Toyota Camry which was parked in the front of 2007 Knorr Street. The vehicle was observed in the vicinity of 2216 Glenview Street. At approximately 2:53 p.m., the black Camry departed the area through the rear common driveway onto Knorr Street where your affiant and Officer Sarris observed VELAZQUEZ-OLIVARES and the unidentified male inside the Camry. A roaming surveillance was conducted and the vehicle was followed to the rear of the 6300 Algon Avenue, Philadelphia, PA. Aerial surveillance Joseph Rudy observed the vehicle driving in the rear driveway, and the passenger of the vehicle (unidentified Latino male) exited the vehicle carrying a white bag. The unidentified male carried the bag and passed the bag into the rear doorway. The male quickly returned to the vehicle and the Camry departed the area. DEATF Group #6 conducted a roaming surveillance and the vehicle was followed back to 2007 Knorr Street, where VELAZQUEZ-OLIVARES and the unidentified male were observed by Joseph Rudy entering the front doorway of 2007 Knorr Street, Philadelphia, PA.

18. At approximately 4:30 p.m., the green Honda Accord bearing Pennsylvania registration GWL-3796 departed the area with VELAZQUEZ-OLIVARES operating the vehicle. Your affiant made the determination to have the vehicle stopped because your affiant personally knows that the aforementioned vehicle has a hidden compartment in the center console area

which is used to conceal and store heroin.

19. While VELAZQUEZ-OLIVARES was being detained, Officer Elliott noticed that VELAZQUEZ-OLIVARES cellular phone was continuously ringing and vibrating. Because VELAZQUEZ-OLIVARES was being detained and unable to answer his phone, your affiant feared that the other individuals involved may have been alerted to VELAZQUEZ-OLIVARES police detention. Furthermore, Police Officer Rayfield maintained a stationary surveillance at 2007 Knorr Street. Officer Rayfield noticed Nicole ALICEA along with a male, later identified as Edwin PARRILLA-SANCHEZ, exit 2007 Knorr Street, and ALICEA entered the driver side of a black Chrysler 300M and PARRILLA-SANCHEZ entered the driver side of a white Toyota Avalon.

20. On December 10, 2008, search warrants were obtained from Judge Bradley Moss, Court of Common Pleas, and members of DEATF executed the Search Warrants at 2007 Knorr Street, Philadelphia Pennsylvania (the residence of both RODRIGUEZ and ALICEA) , 2216 Glenview Street, Philadelphia, Pennsylvania, and the green Honda and the black Camry, two vehicles containing secret compartments.

21. As a result of the search, police seized the following:

- a. Approx. 1837.1 gross grams of heroin (powder form), from 2007 Knorr Street;
- b. Approx. 821.2 gross grams of heroin (packaged), from 2216 Glenview;
- c. Approximately 416.3 grams of crack-cocaine from 2007 Knorr Street;
- d. 96 grams of crack-cocaine from the green Honda Accord trap;
- e. 75.5 grams of crack-cocaine from 2216 Glenview Street;

- f. Approx. 875.6 gross grams of cocaine (powder form), from 2007 Knorr Street;
- g. One loaded Ruger 9mm caliber handgun, from 2007 Knorr Street together with the crack-cocaine;
- h. An undetermined amount of U.S. currency.

A Field Test A, L, & G was conducted on a small portion of the confiscated items which tested positive for heroin and cocaine. Full analysis is still pending from the Northeast Regional Laboratory.

22. In addition, located in a cabinet at 2007 Knorr Street was a letter sent to “Jose Velazquez,” 3047 Rorer Street, Philadelphia, from the Eastern Division Crime Victims Services. The drivers’ license that VELAZQUEZ-OLIVARES previously produced with the name Jose VELAZQUEZ-OLIVARES contained defendant’s picture and the address 3047 Rorer Street, Philadelphia, PA. This item was found a few feet away from recovered bundles of heroin and drug ledgers.

23. On December 10, 2008, VELAZQUEZ-OLIVARES told your affiant that RODRIGUEZ was his brother.



24. Based upon the aforementioned information, your affiant believes that there is probable cause to believe that Francisco RODRIGUEZ, Nicole ALICEA, and Jose VELAZQUEZ-OLIVARES have conspired to possess with the intent to distribute heroin, cocaine and cocaine-base, in violation of Title 21 U.S.C. Section 846.

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Iran Millan, Task Force Officer  
Philadelphia Police Officer

Sworn to and subscribed  
to before me this  
day of December 2008.

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HONORABLE CAROL S.M. WELLS  
UNITED STATES MAGISTRATE JUDGE

